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DISTRICT OF UTAH

BY: DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	I N D I C T M E N T
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	18 U.S.C. § 152(1)
SHELBY ELIZABETH NICHOLS,	:	(Concealment of Assets)
	:	Count 1
Defendant.	:	
	:	18 U.S.C. § 152(7)
	:	(Fraudulent Transfer)
	:	Count 2
	:	
	:	18 U.S.C. § 152(3)
	:	(False Bankruptcy
	:	Declaration)
	:	Counts 3-5
	:	
	:	18 U.S.C. § 1519
	:	(False Bankruptcy
	:	Documents)
	:	Counts 6-8
	:	
	:	18 U.S.C. § 152(2)
	:	(False Bankruptcy
	:	Oath)
	:	Count 9
	:	

The Grand Jury charges:

Judge Paul G. Cassell
DECK TYPE: Criminal
DATE STAMP: 03/30/2005 @ 13:00:22
CASE NUMBER: 2:05CR00202 PGC

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COUNT 1

(Concealment of Assets)

1. On or about March 29, 2004, SHELBY ELIZABETH NICHOLS, Defendant herein, filed a voluntary petition for bankruptcy protection under chapter 7 of Title 11 of the United States Code with the United States Bankruptcy Court for the District of Utah. The bankruptcy court assigned case number 04-24916 to the bankruptcy of Shelby Elizabeth Nichols.

2. From on or about March 29, 2004 until on or about June 1, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, did knowingly and fraudulently conceal from creditors of the bankruptcy estate of Shelby Elizabeth Nichols, the United States Trustee and the panel trustee in bankruptcy, \$39,355.50 belonging to the estate of Shelby Elizabeth Nichols.

All in violation of Title 18, United States Code, Section 152(1).

COUNT 2

(Fraudulent Transfer)

1. On or about April 6, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, then a debtor in bankruptcy under Title 11, Case No. 04-24916, knowingly and fraudulently transferred \$39,355.50 to the checking account of the Chamorin Group with the intent to defeat the provisions of Title 11.

All in violation of Title 18, United States Code, Section 152(7).

COUNT 3

(False Bankruptcy Declaration)

1. On or about March 29, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, knowingly and fraudulently made a material false declaration and statement under the penalty of perjury as permitted under section 1746 of Title 28 in and in relation to a case under Title 11, In re Shelby Elizabeth Nichols, Case No. 04-24916, by filing Schedules of Assets and Liabilities, in which the Defendant falsely stated "None" in response to question 16 of her Schedule B of the Schedules of Assets and Liabilities regarding whether she was and may be entitled to alimony, maintenance, support and property settlement.

All in violation of Title 18, United States Code, Section 152(3).

COUNT 4

(False Bankruptcy Declaration)

1. On or about March 29, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, knowingly and fraudulently made a material false declaration and statement under the penalty of perjury as permitted under section 1746 of Title 28 in and in relation to a case under Title 11, In re Shelby Elizabeth

Nichols, Case No. 04-24916, by filing a Statement of Financial Affairs, in which the Defendant falsely stated "None" in response to question 4 of her Statement of Financial Affairs regarding whether she had been a party to a suit within one year of her bankruptcy filing.

All in violation of Title 18, United States Code, Section 152(3).

COUNT 5

(False Bankruptcy Declaration)

1. On or about July 6, 2004, SHELBY ELIZABETH NICHOLS, Defendant herein, filed a voluntary petition for bankruptcy protection under chapter 7 of Title 11 of the United States Code with the United States Bankruptcy Court for the District of Utah. The bankruptcy court assigned case number 04-30824 to the bankruptcy of Shelby Elizabeth Nichols.

2. On or about July 6, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, knowingly and fraudulently made a material false declaration and statement under the penalty of perjury as permitted under section 1746 of Title 28 in and in relation to a case under Title 11, In re Shelby Elizabeth Nichols, Case No. 04-30824, by filing a Statement of Financial Affairs, in which the Defendant falsely stated in response to questions 4 and 10 as follows:

Question 4	Defendant was not a party to a suit within one year of her bankruptcy filing.
Question 10	Defendant had not transferred any property within one year of her bankruptcy filing.

All in violation of Title 18, United States Code, Section 152(3).

COUNT 6

(False Bankruptcy Documents)

1. On or about March 29, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, knowingly falsified, concealed and made a false entry in a document with the intent to impede, obstruct and influence a case filed under Title 11, In re Shelby Elizabeth Nichols, Case No. 04-24916, by filing Schedules of Assets and Liabilities, in which the Defendant falsely stated "None" in response to question 16 of her Schedule B of the Schedules of Assets and Liabilities regarding whether she was and may be entitled to alimony, maintenance, support and property settlement.

All in violation of Title 18, United States Code, Section 1519.

COUNT 7

(False Bankruptcy Documents)

1. On or about March 29, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, knowingly falsified, concealed and made a false entry in a document with the intent to

impede, obstruct and influence a case filed under Title 11, In re Shelby Elizabeth Nichols, Case No. 04-24916, by filing a Statement of Financial Affairs, in which the Defendant falsely stated "None" in response to question 4 of her Statement of Financial Affairs regarding whether she had been a party to a suit within one year of her bankruptcy filing.

All in violation of Title 18, United States Code, Section 1519.

COUNT 8

(False Bankruptcy Documents)

1. On or about July 6, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, knowingly falsified, concealed and made a false entry in a document with the intent to impede, obstruct and influence a case filed under Title 11, In re Shelby Elizabeth Nichols, Case No. 04-30824, by filing a Statement of Financial Affairs, in which the Defendant falsely stated in response to questions 4 and 10 as follows:

Question 4	Defendant was not a party to a suit within one year of her bankruptcy filing.
Question 10	Defendant had not transferred any property within one year of her bankruptcy filing.

All in violation of Title 18, United States Code, Section 1519.

COUNT 9

(False Bankruptcy Oath)

1. On or about August 10, 2004, in the District of Utah, Defendant SHELBY ELIZABETH NICHOLS, knowingly and fraudulently made a material false statement under oath in and in relation to a case under Title 11, In re Shelby Elizabeth Nichols, Case No. ³⁰⁴²⁴ 04-23965, by falsely testifying under oath in a proceeding before the case trustee at a meeting of creditors as underscored below:

Question: The information you put in these papers is truthful, accurate and complete?

Answer: Yes.

Question: Have you listed all of your assets and all your debts?

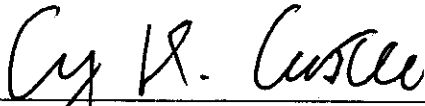
Answer: Yes.

All in violation of Title 18, United States Code, Section 152(2).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

PAUL M. WARNER
United States Attorney
District of Utah



ELIZABETHANNE C. STEVENS
Assistant U.S. Attorney
CY H. CASTLE
Special Assistant U.S. Attorney